

January 31, 2005

Dear Superintendent:

Kentucky's English language learners are a fast-growing segment of our student population. They are held to the same academic standards and expectations as all students. State and federal education laws also recognize that these students have unique language needs that must be addressed so that they can achieve academically and become successful students and members of our communities.

Your district's English language learners are served under an English language instructional program designed to help them acquire speaking, listening, reading and writing skills in English, while they are working towards peer-appropriate academic competencies. Under Title III and Title I of the No Child Left Behind (NCLB) Act of 2001, states and local districts are charged with meeting annual measurable achievement objectives (AMAOs) by the number and/or percentage of limited English proficient (LEP) students who:

- Make progress in learning English,
- Attain English language proficiency by the end of the school year, and
- Make Adequate Yearly Progress (AYP) on required state assessments.

Based on a review of the English language proficiency assessment results your district submitted to the state in May 2004, a determination was made as to whether your district's LEP students made progress in learning English, as evidenced by an increase of at least one proficiency level from the previous year. The assessment results also indicated what percentage of your district's LEP students attained the proficient level in 2003-2004. Each district's report shows the number and percentage of your district's LEP students in each cohort (based on number of years of language instruction) who made progress by one proficiency level, and who scored at the proficient level. The tables also indicate the state targets for each of these cohorts, and whether your district met those targets ("Yes") or not ("No"), or whether the targets did not apply to your district ("Not Applicable or N/A") because the cohort size was less than 10. A number of districts had no cohort groups with sufficient size (N = or > 10) and therefore were not evaluated against state AMAOs at this time.

Your district has already received notification of the AYP status of its LEP subpopulation under Title I and will not be receiving a separate notification for the same goals under Title III for 2003-2004.

Districts who fail to meet AMAOs under Title III (which also includes Title I AYP) for two consecutive years (2003-2004 and 2004-2005) must modify their Comprehensive District Improvement Plan to explicitly include LEP student achievement objectives, strategies and activities, with technical assistance from the Kentucky Department of Education. The NCLB Law also requires districts to annually notify the parents of their LEP students regarding the English language instructional program's failure to meet Title III AMAOs. However, since this is the first year we are notifying districts about their Title III AMAO status, and since these results are based on an interim assessment system, districts will not be required to individually notify parents regarding the 2003-2004 AMAO results at this time. Instead, state, district, and

summary reports for 2003-2004 Title III AMAOs will be posted at this Kentucky Title III AMAO website:

<http://www.education.ky.gov/KDE/Instructional+Resources/High+School/Language+Learning/English+Language+Learning/default.htm>

KDE will analyze the English language proficiency assessment results submitted by schools for individual LEP students through STI by May 25, 2005. Title III AMAO reports for 2004-2005 will be released to districts by August 1, 2005, and each district will be required to post their reports for 2003-2004 and 2004-2005 on their district website. Districts that fail to meet the state targets for one or more cohorts and/or AYP for the LEP subgroup for the 2005-2006 school year will have to notify parents of all LEP students in the district in conjunction with their Title I parent notification. Upon approval by the U.S. Department of Education, Kentucky will begin parent notification for failure to meet Title III AMAOs in the fall of 2006.

Please remember that under Title III, parents retain the right to withdraw their enrolled child from any English language instructional program (but not core academic instruction) at any time. Regardless of this decision, the law holds districts and the state accountable for all LEP students' progress and attainment of English language proficiency, and for academic achievement.

The Kentucky Department of Education is committed to providing districts and schools with the support they need to accelerate the English language development and to remove barriers to high academic achievement of their LEP students. We are making progress as a state, due to your commitment to an equitable high-quality education for all our learners.

To provide a forum for discussion and clarification regarding the Title III AMAOs, questions will be addressed at the February District Assessment Coordinators' Meetings and at the Title III Update session at the Kentucky Teaching and Learning Conference on Thursday, March 3, from 4:00-6:00 PM. Phone conferences have also been scheduled through the Division of Assessment Implementation on March 17 and 18, 2005. Please refer to the attached schedule and talking points for the phone conferences. **To register your Title III and District Assessment Coordinators, please download the registration form from the Title III AMAO website (address provided above), and send it by email to Teri Eads at [teads@kde.state.ky.us](mailto:teads@kde.state.ky.us).**

If you have any questions regarding the information in this letter, please contact Rina Gratz at (502) 564-2106 or [rgratz@kde.state.ky.us](mailto:rgratz@kde.state.ky.us).

Thank you.

Sincerely,

Gene Wilhoit, Commissioner